



Docket No.: 4619-009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
Inventor(s): Francis VAN DER BIST et al. : Confirmation No.7736  
U.S. Patent Application No. 09/424,247 : Group Art Unit: 1615  
Filed: November 30, 1999 : Examiner: BERKO, RETFORD O  
For: DRY POWDER INHALER EXCIPIENT, PROCESS FOR ITS PREPARATION AND  
PHARMACEUTICAL COMPOSITION CONTAINING IT

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of the Final Rejection or Notice of Allowance.

The undersigned hereby certifies that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the

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information disclosure statement (37 CFR 1.97 (e)(1)). A copy of the foreign search report is enclosed for the Examiner's information.

A check in the amount of \$180.00 is attached. Any deficiency or overpayment should be charged or credited to Deposit Account No. 07-1337.

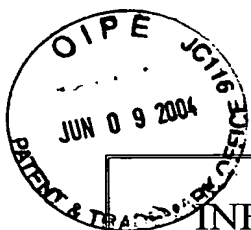
Respectfully submitted,

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**Date: June 9, 2004**



INFORMATION DISCLOSURE  
CITATION IN AN  
APPLICATION  
(PTO-1449)

ATTY. DOCKET NO.  
4619-009

U.S. PATENT  
APPLICATION NO.  
09/424,247

APPLICANT  
**Francis VAN DER BIST et al.**

FILING DATE  
November 30, 1999

GROUP  
1615

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,551,489	9/3/96	Trofast et al.			
	3,802,914	4/9/74	Nezbed			

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	WO 91 11179	8/8/91	PCT				
	WO 95 24889	21/9/95	PCT				
	WO 98 50015	12/11/98	PCT				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	K.A. Riepma, et al. "Consolidation and Compaction of Powder Mixtures: III. Binary Mixtures of Different Particle Size Fractions of Different Types of Crystalline Lactose", Database Chemabs, Chemical Abstracts Service, Columbus, Ohio, Int. J. Pharm. (1992), pp. 121-128

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.